

Remarks

Entry of the above-noted amendments, reconsideration of the application, and allowance of all claims pending are respectfully requested. By this amendment, claims 1, 3, 13, 19, and 20 are amended and claim 2 is canceled. These amendments to the claims constitute a bona fide attempt by applicant to advance prosecution of the application and obtain allowance of certain claims, and are in no way meant to acquiesce to the substance of the rejections. Support for the amendments can be found throughout the specification (e.g., page 7, line 13 to page 8, line 5), figures (e.g., FIG. 1), and claims (e.g., previous claim 2) and thus, no new matter has been added. Claims 1 and 3-20 are pending.

Claim Rejections - 35 U.S.C. § 102

Claims 1-20 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Squibb (International Pub. No. WO 85/05745). This rejection is respectfully, but most strenuously, traversed.

Applicant respectfully submits that the Office Action's citations to the applied references, with or without modification or combination, assuming, *arguendo*, that the modification or combination of the Office Action's citations to the applied references is proper, do not teach or suggest encoding the third message through employment of the outbound-message CDMA code to create the encoded outbound third message that comprises the replacement outbound-message CDMA code, as recited in applicant's independent claim 1.

For explanatory purposes, applicant discusses herein one or more differences between the claimed invention and the Office Action's citations to Squibb. This discussion, however, is in no way meant to acquiesce in any characterization that one or more parts of the Office Action's citations to Squibb correspond to the claimed invention.

Squibb (page 9, lines 15-17) discloses the locally generated code sequence. Squibb further discloses that access to the communications is only available with a suitable apparatus programmed to recognize the coding sequence (page 11, lines 2-3), such as a modem unit set to a unique selected code (page 11, lines 11-14). Squibb also discloses (page 11, line 22 to page 12, line 3):

In a fully flexible system, code distribution may occur either from a central "key distribution" unit, or as a pre-loaded programme in the modem unit. Thus, to establish a data link with a second user, the two units are set to the same code sequence, and synchronism is achieved. Any number of units may be simultaneously in synchronism, permitting "broadcast" transmissions. Access to the transmission medium may be governed by any one of the established data network protocols, for example, CSMA-CD, token passing, etc...

Squibb discloses that code distribution is from a central unit or pre-loaded within the modem unit. Squibb fails to disclose encoding the third message through employment of the outbound-message CDMA code to create the encoded outbound third message that comprises the replacement outbound-message CDMA code. Squibb also fails to disclose the first network component that sends the third message which comprises the third CDMA code for replacement of the first CDMA code.

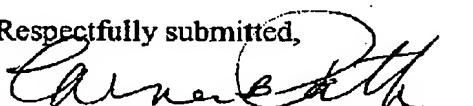
Accordingly, the Office Action's citation to Squibb fails to satisfy at least one of the limitations recited in applicant's independent claim 1.

For all the reasons presented above with reference to claim 1, claims 1, 13, and 19 are believed neither anticipated nor obvious over the art of record. The corresponding dependent claims are believed allowable for the same reasons as independent claims 1, 13, and 19, as well as for their own additional characterizations.

Withdrawal of the § 102 rejections is therefore respectfully requested.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



Carmen B. Patti
Carmen B. Patti
Attorney for Applicant
Reg. No. 26,784

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Patti, Hewitt & Arezina, LLC
Customer Number 47382